

**RUSSIA - ANTI-DUMPING DUTIES ON LIGHT
 COMMERCIAL VEHICLES FROM
 GERMANY AND ITALY**

Report of the Appellate Body
 WT/DS479/AB/R and Add.1

*Adopted by the Dispute Settlement Body
 on 9 April 2018*

Russian Federation, *Appellant/Appellee*
 European Union, *Other Appellant/Appellee*

Brazil, *Third Participant*
 China, *Third Participant*
 Japan, *Third Participant*
 Korea, *Third Participant*
 Turkey, *Third Participant*
 Ukraine, *Third Participant*
 United States, *Third Participant*

Appellate Body Division:

Zhao, Presiding Member
 Bhatia, Member
 Servansing, Member

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* The Notices of Appeal and Other Appeal and the executive summaries of written submissions contained in this Addendum are attached as they were received from the participants and third participants. The content has not been revised or edited by the Appellate Body, except that paragraph and footnote numbers that did not start at one in the original may have been re-numbered to do so, and the text may have been formatted in order to adhere to WTO style. The executive summaries do not serve as substitutes for the submissions of the participants and third participants in the Appellate Body's examination of the appeal.

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ABBREVIATIONS USED IN THIS REPORT

Abbreviation	Description
Anti-Dumping Agreement	Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994
BCI	business confidential information
confidential investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating in Germany, Italy, Poland and Turkey and imported into the common customs territory of the Customs Union</i> (Confidential version) (Moscow, 2013) (Panel Exhibit RUS-14 (BCI))
Customs Union	Customs Union between the Republic of Belarus, the Republic of Kazakhstan, and the Russian Federation
Customs Union Commission	Customs Union Commission
DIMD	Department for Internal Market Defence of the EEC
draft investigation report	Eurasian Economic Commission, DIMD, <i>Report on the findings of the anti-dumping investigation on imports of light commercial vehicles from Germany, Italy, Poland, and Turkey</i> (Non-confidential version) (Draft report, 28 March 2013) (Panel Exhibits EU-16 and RUS-10)
DSB	Dispute Settlement Body
DSU	Understanding on Rules and Procedures Governing the Settlement of Disputes
EAEU	Eurasian Economic Union
EEC	Eurasian Economic Commission
electronic customs database	Electronic customs database of national customs authorities of the Customs Union between the Republic of Belarus, the Republic of Kazakhstan, and the Russian Federation
Fiat	Fabbrica Italiana Automobili Torino
GATT 1994	General Agreement on Tariffs and Trade 1994
GAZ	Gorkovskiy Avtomobilny Zavod
LCVs	light commercial vehicles
MIT	Ministry of Industry and Trade of the Russian Federation
non-confidential investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating in Germany, Italy, Poland, and Turkey and imported into the common customs territory of the Customs Union</i> (Moscow, 2013) (Non-confidential version) (Panel Exhibits EU-21 and RUS-12)
Panel Interim Report	Interim Report of the Panel issued to the parties on 26 August 2016
Panel Report	Panel Report, <i>Russia – Anti-Dumping Duties on Light Commercial Vehicles from Germany and Italy</i> , WT/DS479/R and Add.1
PCA	Peugeot Citroen Automobiles SA

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Abbreviation	Description
PCR	Peugeot Citroën Russia
period of injury assessment	1 January 2008 to 31 December 2011
period of investigation	1 July 2010 to 30 June 2011
RUB	Russian roubles
Sollers	Sollers-Elabuga LLC
USD	US dollars
Vienna Convention	Vienna Convention on the Law of Treaties, done at Vienna, 23 May 1969, UN Treaty Series, Vol. 1155, p. 331
Working Procedures	Working Procedures for Appellate Review, WT/AB/WP/6, 16 August 2010
WTO	World Trade Organization

PANEL EXHIBITS CITED IN THIS REPORT

Panel Exhibit	Short title	Description
EU-4	Sollers' updated questionnaire response of 31 January 2013	Response dated 31 January 2013 by Sollers-Elabuga LLC to the EEC's "Questionnaire to Determine Material Injury to an Industry in the Member States of the Customs Union for Manufacturers" (Non-confidential version)
EU-6	Turin Auto's updated questionnaire response of 31 January 2013	Response dated 31 January 2013 by Turin Auto to the EEC's "Questionnaire for Trading Houses" (Non-confidential version)
EU-8	Daimler's and Mercedes' comments of 16 March 2012 on the public hearing	Letter dated 16 March 2012 from Daimler AG and CJSC Mercedes-Benz RUS to the MIT, concerning "Information to be presented ... during the public hearings scheduled for 22 March 2012 in respect of the anti-dumping investigation concerning light commercial vehicles conducted by the Ministry for Industry and Trade of the Russian Federation under the claim of OOO Sollers-Elabuga" (including Annexes 1-9)
EU-11	Volkswagen's comments of 6 April 2012 on the public hearing	Letter dated 6 April 2012 from Volkswagen AG to the MIT, concerning the public consultation of 22 March 2012 (anti-dumping investigation on light commercial vehicles from Germany, Italy, Poland and Turkey)
EU-12	Annex 2 to Volkswagen's comments of 6 April 2012	Republic of Tartastan Business Center, Press article, "Ford Sollers Elabuga plant delivered first 1200 cars to dealers", 1 March 2012
EU-16	draft investigation report	Eurasian Economic Commission, DIMD, <i>Results of the anti-dumping investigation with regard to light commercial vehicles originating in Germany, Italy, Poland and Turkey imported into the common customs area of the Customs Union</i> (Non-confidential version) (Draft report, 28 March 2013)
EU-19	Daimler's and Mercedes' comments of 11 April 2013 on the draft investigation report	Letter dated 11 April 2013 from Daimler AG and ZAO Mercedes-Benz RUS, concerning "Comments presented on the Report of 28 March 2013, prepared by the Department of Protection of Internal Market of the Eurasian Economic Commission on the preliminary findings of the anti-dumping investigation in respect of light commercial vehicles originating in Germany, Italy, Poland and Turkey and imported into the common customs territory of the Customs Union of Russia, Belarus and Kazakhstan"

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Panel Exhibit	Short title	Description
EU-20	PCA's and PCR's comments of 11 April 2013 on the draft investigation report	Letter dated 11 April 2013 from Peugeot Citroën Automobiles SA (PCA) and Peugeot Citroën Russia (PCR), concerning "the report on the results of the anti-dumping investigation in respect of light commercial motor vehicles originated from Federal republic of Germany, Italian republic, Polish Republic and Republic of Turkey and imported into the common customs territory of the Customs Union"
EU-21	non-confidential investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating in Germany, Italy, Poland, and Turkey and imported into the common customs territory of the Customs Union (Non-confidential version)</i> (Moscow, 2013)
EU-22	EEC Decision No. 113	Eurasian Economic Commission, Board Decision No. 113 of 14 May 2013, "Regarding the application of an anti-dumping measure by introducing an anti-dumping duty on light commercial vehicles originating from the Federal Republic of Germany, the Italian Republic and the Republic of Turkey, and imported into the common customs territory of the Customs Union"
EU-31	Comments of the Association of Turkish exporters from the automotive industry of 11 February 2012	Letter dated 11 February 2012 (No. 14/02-11) from the Association of Turkish exporters from the automotive industry, concerning the dumped import [and its conditions], the possible injury to the domestic industry, the causal link between the two and the national interest factor in the investigation
RUS-2	Notice of Initiation	Ministry of Industry and Trade of the Russian Federation, Order No. 1587 (15 November 2011), Notice "On Initiation of Anti-dumping Investigation related to Light Commercial Vehicles Originating from German, Italy, Poland and Turkey and Imported into the Single Customs Territory of the Customs Union"
RUS-10	draft investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating from Germany, Italy, Poland and Turkey and imported into the single customs territory of the Customs Union (Non-confidential version)</i> (Draft report, 28 March 2013)

Russia - Commercial Vehicles

Panel Exhibit	Short title	Description
RUS-12	non-confidential investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating in Germany, Italy, Poland, and Turkey and imported into the common customs territory of the Customs Union of the Department for Internal Market Defence of the Eurasian Economic Commission</i> (Non-confidential version) (Moscow, 2013)
RUS-14 (BCI)	Confidential investigation report	Eurasian Economic Commission, DIMD, <i>Findings from the anti-dumping investigation relating to light commercial vehicles originating in Germany, Italy, Poland and Turkey and imported into the common customs territory of the Customs Union</i> (Confidential version) (Moscow, 2013)
RUS-18	EEC Letter No. 14-176	Letter No. 14-176 dated 11 April 2013 from the Eurasian Economic Commission to ZAO Mercedes-Benz RUS and OOO Volkswagen Group RUS